



No. PPRA/AP-13/2026
Government of Pakistan
Public Procurement Regulatory Authority
(Appeal & Review Petition Secretariat)
1st Floor, FBC Building, G-5/2, Islamabad
<><><>

ORDER

M/s Qaim Automotive Mfg. (Pvt.) Ltd.

...the "Appellant"

Vs.


Sui Northern Gas Pipelines Limited

...the "Respondent"

<u>Date of Hearing</u> 31.03.2026	Mr. Abul Jabbar, CEO [<i>attended via Zoom</i>] <p style="text-align: right;">(On behalf of Appellant)</p> Mr. Latif Akbar, Sr. Officer (Procurement), Mr. Abubakar Sharif <p style="text-align: right;">(On behalf of Respondent i.e., SNGPL)</p>
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APPEAL UNDER RULE 48(7) OF THE PUBLIC PROCUREMENT RULES, 2004 AGAINST DECISION OF THE GRC [IN THE TENDER ENQUIRY NO.SNC-1930/25 COVERING AIR INTAKE FILTERS ELEMENTS & PRE-FILTER SOCKS OPENED ON 28-10-2025]


The Authority received an Appeal filed by M/s Qaim Automotive Mfg. Pvt Limited, through its representative Mr. Abdul Jabbar, Chief Executive Officer "the Appellant" on 12.02.2026 under Rule 48(7) of the Public Procurement Rules, 2004. The Authority on receipt of the Appeal issued notices to M/s Qaim Automotive Mfg. Pvt Limited ("Appellant"); Sui Northern Gas Pipelines Limited (SNGPL), through its CFO / Chairman Grievance Redressal Committee (the "Respondent"), wherein it


 was directed to appear in person or through their nominated representatives or Counsel before the Authority on 31.03.2026 before the Appellate Committee in the Committee Room of Public Procurement Regulatory Authority (PPRA).

2. On the said date of hearing (31.03.2026), the representatives of the parties, i.e. M/s Qaim Automotive Mfg. Pvt Limited "Appellant"; Sui Northern Gas Pipelines Ltd. (SNGPL) "Respondent" appeared before the Committee and presented their arguments at length. The Respondents provided written arguments to the Committee.

3. In Compliance with the notices issued (i) Mr. Latif Akbar (Senior Officer Procurement), GM (Procurement), Mr. M. Abubakar Sharif appeared on behalf of SNGPL; Mr. Abdul Jabbar (CEO) appeared on behalf of M/s Qaim Automotive Mfg. Pvt Limited on the said date of hearing and the subject Appeal was heard at length.

 4. The representative of the Appellant submitted that a Grievance Petition was filed dated 24-12-2025 and subsequently meeting of the Grievance Redressal Committee was held on 31-12-2025, for which the pleading brief including but not limited for the meeting were sent before the meeting was held. The same were also pleaded along-with other explanation during the GRC meeting required to request to recall the earlier decision by SNGPL

 in respect of making our company technically non-responsive. The decision of the GRC was received on January 16, 2026. Further added that the email request with two reminders were sent to SNGPL for providing us complete decision of GRC so that the fundamental of legal and factual agitations could be responded in the Appeal before PPRA. The complete decision was not provided as otherwise would require so in the first stage of quasi adjudication / decision by GRC to lead to filing Appeal before PPRA. Further added that the Appellant is the manufacturer of Filters including Industrial, Power and Customer Design in the Country with ISO certification 9001:2015.

 5. The representative of the Appellant further submitted that our company M/s Qaim Automotive Mfg. Pvt Ltd., participated in the bidding process. The tender bid / proposal was submitted on 28-10-2025 which was opened on the same day. The Appellant participated as local/domestic manufacturer, which entitles participation against Clause 32 "EVALUATION AND COMPARISON OF BIDS FOR GOODS PREFERENCE FOR DOMESTIC MANUFACTURER" vide instructions to Bidders Appendix B of tender documents. The Appellant referred Rule 10 "Specifications" of the Public Procurement Rules, 2004, which is reproduced as under:

(1) The procuring agency shall allow the widest possible competition by defining such specifications that shall not

favour any single contractor or supplier nor put others at a disadvantage.

(2) Any terms, specifications, standards, features, characteristics and requirements prescribing the technical or quality characteristics shall be generic in nature and shall not include reference to brand name, model number, catalogue number, name or origin of the country or similar classification.

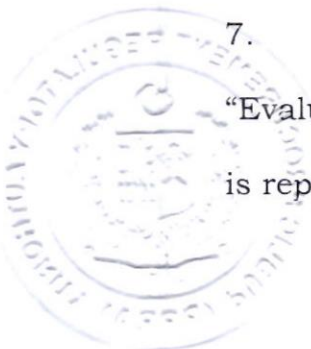
(3) In case, the procuring agency is convinced that the use of or a reference to a brand name or a catalogue number is essential to complete, an otherwise incomplete specification, and no other sufficiently precise or understandable way of describing the characteristics of the goods, works or services to be procured is provided, the words "or equivalent" shall be used, after recording specific justifications in writing therein. The procuring agency shall be responsible to define the parameters of "equivalence" for all participants to procurement process, to ensure transparency.

6. The representative of the Appellant further submitted that in accordance with Rule 24(2) "Reservation and preference" of the Public Procurement Rules, 2004, which states:

The procuring agency shall, while evaluating and comparing bids, allow for preference to domestic suppliers or contractors, while competing with the international bidders in accordance with the policies of Federal Government or regulations made by the Authority for-

- i. works projects;*
- ii. certain goods manufactured, mined, extracted and grown in the Islamic Republic of Pakistan; and,*
- iii. disposal of certain assets having any potential impact on national security.*

7. The representative of the Appellant referred Rule 30 "Evaluation of Bids" of the Public Procurement Rules, 2004, which is reproduced as under:





“All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents. Save as provided for in sub-clause (iv) of clause (c) of rule 36 no evaluation criteria shall be used for evaluation of bids that had not been specified in the bidding documents.”

8. In accordance with Rule 32 “Discriminatory and difficult conditions” of the Public Procurement Rules, 2004, which states:

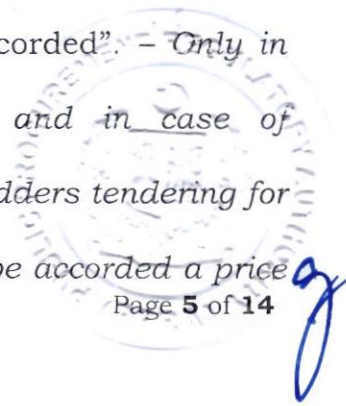
“Save as otherwise provided, no procuring agency shall introduce any condition, which discriminates between bidders or that is considered to be met with difficulty. In ascertaining the discriminatory or difficult nature of any condition reference shall be made to the ordinary practices of that trade, manufacturing, construction business or service to which that particular procurement is related.”

9. The representative of the Appellant referred SRO827(I)/2001 “Import of Engineering Goods (Control) Order, 2001” clause 2 (a) “engineering goods” means goods specified in the Customs General Order 07 of 1998 issued and amendments thereof by the Central Board of Revenue.

10. Clause 2(c) “public sector agencies” include all the statutory or autonomous corporations and other agencies or bodies under the administrative control of the Federal Government and the Provincial Governments including private or public companies with the government share-holding.



11. Clause 3 “Price preference to be accorded”. - *Only in cases of procurement by the government and in case of procurement by other public sector agencies, bidders tendering for engineering goods produced in Pakistan shall be accorded a price*



preference in rupees up to a specific percentage (in proportion to the value addition) of the lowest quoted landed cost of an item of foreign origin with similar specifications as mentioned in the tenders.

12. Clause 4 "Public sector agencies to procure their requirements from within the country, etc".- *(1) The public sector agencies shall - (a) procure their requirements of engineering goods from within the country and omit such items from the list of barter, credit and loans.*

13. Clause 4A "Floating of International Tenders". - *(1) In case of international tenders (if floated), public sector enterprises and corporate entities will ask for FOR prices for proper comparisons with the locally manufactured products.*

14. Clause 5 "Compliance of directives or decisions".- *Public sector agencies shall comply with all the directives of the Chief Executive of the Islamic Republic of Pakistan, decisions of the ECC of the Cabinet and government policy decisions on promotion of indigenization and import substitution.*

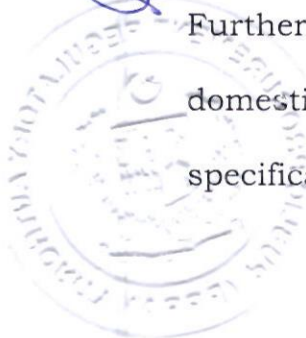
15. The representative of the Appellant further submitted that the Appellant received an e-mail on November 29, 2025, from Mr. Nasir Abbas Dy. Chief Engineer (Compression) Multan-T, seeking clarifications / confirmations, which were provided accordingly in terms of applied part of requirements for / by the domestic manufacturer as per compliances in terms of the above-

mentioned SROs. Further added that the Appellant did not receive any request or command for providing further clarifications or confirmations on the reply dated 01-12-2025, which otherwise may have accrued if it was required so as outcome of the appreciated examined material reply provided by our e-mail 01-12-2025. Further added that the Appellant firm has been aggrieved by receiving an e-mail dated 23-12-2025 from Mr. Shahzad Sr. Officer (Procurement) informing that the Appellant company is technically non-responsive on the non-tenable grounds to read with the SROs in entirety for promoting the indigenous goods on the basis of equivalent offers, which is the prime objective of the present government seeking compression in foreign exchange expenditure.

16. The representative of the Appellant further submitted that the Appellant quoted for only item no. 1 and 3 "Air Intake Filters Elements". The outcome of the Technical Evaluation shows that there were 03 participants namely (Unitech International Pvt Ltd., Lahore; Al-Tariq Traders, Karachi; Qaim Automotive Mfg. Pvt Ltd. Further added that the party M/s Unitech International Pvt Ltd. is declared as Responsive of Item No. 1 & 3. The party Al-Tariq Traders, Karachi is declared as Responsive for Item No. 2 and party Qaim Automotive Mfg. Pvt Ltd. is declared as non-responsive for Item No. 1 & 3. It can easily be configured that the party's M/s Unitech and Al-Tariq Traders have declared to be

responsive, which are import based and party Qaim Automotive Mfg. Pvt Ltd. has been declared non-responsive being local manufacturer, which questions the nature of discretionary application / treatment. That would mean that without prejudice to the outcome of this grievance application, two parties are declared responsive in terms of yet to be ascertained financial conformance in terms of rate reasonability which may not be in the interest of perfection of the public sector organization, while encroaching upon the required careful due diligence and rechecking of the aforementioned issue with the compliance of the directives of the Federal Government to save the foreign exchange and prefer the domestic procurement on the basis of equivalent consideration and not make the evaluation in exclusion of the provisions of directives of Federal Government and make bid deviations such as irrelevant questions of non-compliance by party namely Qaim Automotive Mfg. Pvt Ltd. in respect of 3.2 (b) which applies only on goods of foreign goods.

17. The representative of the Appellant referred Rule 38 (B) 2, which states: *"The procuring agency shall make a decision with due diligence and in compliance with general principles of procurement like economy, efficiency and value for money"*. Further submitted that the competition and opportunity for the domestic manufacturing on the basis of equivalent and similar specification based manufactured products / filters is well



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thought over decision by the government, which is being reinforced by present government and SIFC as a policy support. The monopolizing two parties for different items as responsive again without due diligence and careful interpretation may not be preferred by the public procurement agency in the national interest.

18. The representative of the Respondent (SNGPL) submitted that the bid of M/s Qaim Automotive Manufacturing (Pvt) Ltd, Karachi has been declared technically non responsive due to following anomalies:-

a. They are ISO 9001:2015 certified manufacturer of air filters as per company profile whereas the manufacturer of offered items on performance test report submitted by them is JP Air Tech instead of M/s Qaim Automotive, which is contradictory.

b. Part No. of offered items are QA-1836 for item No. 1 and QA-4783 for item No. 3 mentioned by the bidder, whereas in the test reports, part number is marked as N/A, hence test report is not verifiable for offered models.

c. Due to non-compliance of tender clause 3.2 for quoted items. The rejection reasons were uploaded on PPRA website on 19-12-2025 and accordingly conveyed to the bidder on 23-12-2025. The supplier invoked grievance vide letter dated 24-12-2025. GRC meeting was held on 31-12-2025 in which supplier presented their stance. After thorough review of the supplier's as well as Company's stance GRC advised that grievance of the supplier does not stand merit. The decision of the GRC committee was conveyed to the supplier vide email dated 16-01-2026.

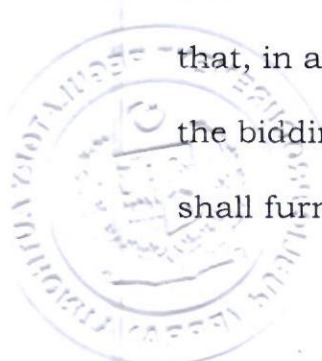
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19. The representative of the Respondent further submitted that all the bids have been evaluated as per the evaluation criteria

PPRA
PUBLIC PROCUREMENT REGULATORY AUTHORITY
Karachi

& technical specifications mentioned in the tender documents. Moreover, as far as price preference is concerned, it is applicable only if the local Manufacturer's bid is technically responsive in accordance with SRO 827 (1) 2001, the mechanism of which is clearly mentioned in clause 32 of Instruction to Bidders of the tender documents. Since, it is an international tender and EPADS module of international procurement has not been developed till date, therefore, remarks on the PPRA advertisement PUR-43(SNC-1930/25) dated 20.09.2025 are mentioned for the uploading of tender on PPRA website. Further highlighted that as per clause 02 of "Schedule of Requirement" that "Bids will be evaluated on Item wise lowest price bidder basis". In the captioned tender enquiry three items were required and to enhance competition item-wise bid bonds were sought from the participating bidders. Since M/s Unitech International (Pvt) Ltd, Lahore have submitted bid bonds of Item No. 01 & 03 in accordance with tender terms, therefore, their bid has been declared technically responsive for the said items whereas due to submission of bid bond with shorter value for item No. 02, their bid has been declared technically non-responsive for the said item as per tender terms.

20. The representative of the Respondent further submitted that, in accordance with the technical specifications stipulated in the bidding documents, it was expressly required that "the bidder shall furnish the following performance test reports of the offered



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- Test reports in compliance with EN 777:2012, including data relating to initial resistance, dust fed versus resistance, dust fed versus Arre stance, and particle removal efficiency; and
- Test reports in compliance with ASHRAE 52.2:2017, including data on initial resistance and particle removal efficiency.

21. It was further submitted that the Appellant failed to meet the aforesaid requirement, as only a single test report was furnished, which pertained to JP Air Tech rather than the offered model of M/s Qaim Automotive, and was therefore not compliant with the prescribed evaluation criteria under the bidding documents and the Public Procurement Rules, 2004.

22. The Appellate Committee has heard the learned representatives of the Appellant, the Procuring Agency, and has carefully examined the grievance petition, the impugned minutes of the GRC, the bidding documents, and all supporting material placed on record.

23. In terms of Rules 29 & 30 of the Public Procurement Rules, 2004, which is reproduced as under:

29. Evaluation criteria: -

Procuring agencies shall formulate an appropriate evaluation criterion listing all the relevant information

against which a bid is to be evaluated. Such evaluation criteria shall form an integral part of the bidding documents. Failure to provide for an unambiguous evaluation criteria in the bidding documents shall amount to mis-procurement.

30. Evaluation of bids. -

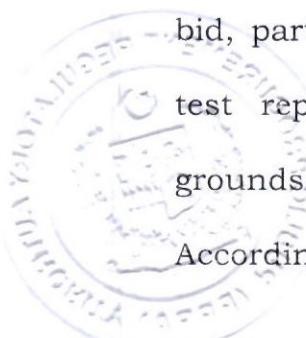
(1) All bids shall be evaluated in accordance with the evaluation criteria and other terms and conditions set forth in the prescribed bidding documents. Save as provided for in sub-clause (iv) of clause (c) of rule 36 no evaluation criteria shall be used for evaluation of bids that had not been specified in the bidding documents.

24. It is pertinent to mention that no deviation from the specifications, terms and conditions specified in the bidding documents & evaluation criteria is permissible. The procuring agency may proceed strictly in accordance with terms and conditions set forth in the bidding documents. All participants in the bidding process are bound by the terms and conditions of tender documents and cannot go beyond the purview and ambit of the tender documents.

25. The Appellate Committee is satisfied that the procuring agency has evaluated the bids in accordance with the prescribed evaluation criteria and technical requirements laid down in the bidding documents. The deficiencies identified in the Appellant's bid, particularly with respect to submission of non-conforming test reports and non-verifiable particulars, constitute valid grounds for declaring the bid technically non-responsive.

Accordingly, no illegality or material irregularity is established in

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the technical evaluation process warranting interference by the Appellate Committee.

26. Under Rule 35 of the Public Procurement Rules, 2004, the **Final Evaluation Report** is meant to ensure transparency, fairness by clearly explaining how bids were assessed and why a particular bidder is being recommended.


27. The Appellate Committee observed that, in the present matter, the Final Evaluation Report dated 18-03-2026 submitted by the procuring agency (Annexure-H of the SNGPL / Respondents reply) does not conform to the mandatory requirements and prescribed format under the applicable Public Procurement Rules, 2004. Rule 35 obligates the procuring agency to announce the results of bid evaluation in the form of a Final Evaluation Report, containing complete details, including justification for acceptance or rejection of bids, and to disclose the bid prices, at least fifteen (15) days prior to the award of contract. The report is deficient in material particulars, as it fails to include the requisite financial information (quoted bid price of all bidders) and, therefore, does not qualify as a duly constituted Final Evaluation Report. Furthermore, the rates/bid prices, comparison of financial bids of technically qualified bidders, name of the recommended bidder (most advantageous bidder) have not been disclosed therein, which constitutes a material deviation

violation of the Public Procurement Rules, 2004, and therefore, amounts to mis-procurement.

28. In view of the foregoing, while the Committee finds no merit in the Appellant's challenge to the technical evaluation of its bid. However, the procuring agency has violated Rule 35 of the Public Procurement Rules, 2004 by not mentioning the financial bid in the Final Evaluation Report which is a clear violation of Rule 35 of the Public Procurement Rules, 2004, any unauthorized breach of Rule amounts to mis-procurement. Hence, the instant appeal is hereby disposed of on account of violation of Rule 35 of the Public Procurement Rules, 2004.


(Dr. Muhammad Aslam Waseem)
Director General (Legal)
(Member)


(Sheikh Afzaal Raza)
Director (M&E)
(Member)


(Hasnat Ahmed Qureshi)
Managing Director (PPRA)
(Chairman of the Committee)

Dated: 6th April, 2026

Each page of the order has been signed by all members of the Appellate Committee. The order comprises of fourteen (14) pages.

